



# Wagoner County Board of Adjustment Minutes

**Date:** June 15, 2021

**Time:** 6:00 pm

**Location:** 301 South Grant Avenue, Wagoner, OK, Wagoner Civic Center

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1. Call to Order: 6:08 CHAIRMAN SHOOK
2. Roll Call:

MEMBER	PRESENT/ABSENT
DAN DAVID	PRESENT
EDDIE HERNDON	PRESENT
CECIL KUSLER	ABSENT
CAROLYN MCCLELLAN	PRESENT
CHRIS SHOOK	PRESENT

3. Approval or correction to the minutes from May 18, 2021.
  - a. MOTION TO APPROVE: DAVID
  - b. SECOND: SHOOK
  - c. ROLL-CALL:

MEMBER	YES/NO
DAN DAVID	YES
EDDIE HERNDON	YES
CECIL KUSLER	ABSENT
CAROLYN MCCLELLAN	YES
CHRIS SHOOK	YES

4. Grant or deny, BOA #17-21-Skyler Watkins, map interpretation of Wagoner Park Mobile Home Acres. Location: 75097 S. 277 Rd, Wagoner, OK.
  - a. MOTION TO ALLOW THE RECOMMENDED USE AS IS: DAVID
  - b. SECOND: SHOOK
  - c. ROLL-CALL:



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MEMBER	YES/NO
DAN DAVID	YES
EDDIE HERNDON	YES
CECIL KUSLER	ABSENT
CAROLYN MCCLELLAN	YES
CHRIS SHOOK	YES

5. Grant or deny, BOA #18-21-Bruce Stewart, map interpretation of Rainbow End.  
Location: 73210 S. 326 Way, Wagoner, OK.
  - a. MOTION TO ALLOW THE RECOMMENDED USE AS IS: DAVID
  - b. SECOND: MCCLELLAN
  - c. ROLL-CALL:

MEMBER	YES/NO
DAN DAVID	YES
EDDIE HERNDON	YES
CECIL KUSLER	ABSENT
CAROLYN MCCLELLAN	YES
CHRIS SHOOK	YES

6. Map Interpretation of the Whitehorn Cove unincorporated area in Wagoner County.

DISCUSSION: A map interpretation is not a zoning map amendment; it is merely a view of the lots in the subject area to allow the continued use “as is” if:

- 1) the original intent of the plat and current use are consistent
- 2) If the original intent of the plat and current use have been ongoing from the time of platting
- 3) And if the platting took place prior to the establishment of the planning commission

Specifically in the area of Whitehorn Cove, the discussion of continued use of residential lots to allow mobile homes was in question.

No action was taken on D&D Estates. This is a mostly undeveloped plat that outlined no intention to authorize or prohibit mobile homes. As the intent of the plat could not be established



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and most lots were vacant, the interpretation was for use to remain as required by AG non-conforming lots of record until such time as owners in the plat seek a zoning map amendment.

No action was taken on Lakeview Cottage Sites due to disagreements of residents as to the intent of the neighborhood as established and the previously authorized placement of mobile homes without a Map Interpretation or correct Zoning Map Amendment during the 1990s and mid-2000s. Lakeview Cottage Sites use will remaining as required by AG nonconforming lots of record until such time as owners in the plat seek a zoning map amendment.

Lake Shore Drive Addition was tabled for one month while residents in the subdivision provided more information to support their assertion that intended use was for mobile homes. There are three versions of the covenants for this neighborhood. The final version prohibited mobile homes. No mobile homes were found in the neighborhood using March 2021 aerials and assessor site research. A county inspector will go out and investigate the conditions of the neighborhood and if any mobiles have been placed there without a permit.

Some disputes arose around the existence of 4 lots in Laner Heights that are currently used for RV parking and a few parcels in Laner Heights that house a commercial storage facility. In both cases, no evidence was found to support that either use was intended for the lots in question. In the case of the RVs, there is no opportunity for a Zoning Map Amendment; in order to create a zoned RV or Travel Trailer park, there is a minimum of 2 acres required. There will be an investigation done on this “park” to determine when it was created, continued operation, and if it can be considered non-conforming in accordance with Article 4 of the Zoning Code. In the case of the Commercial Storage operation, the owners have been advised to seek a Zoning Map Amendment. An investigation can be done on this operation as well to determine if it is non-conforming or if it is violation of the current zoning code.

The map interpretation does not authorize subdivision of land under the interpreted use criteria. Zoning map amendments in the future will be from AG to the intended use and will go to the Planning Commission as such.

- a. MOTION TO TABLE LAKE SHORE DRIVE, TAKE NO ACTION FOR D & D ESTATES & LAKEVIEW COTTAGE SITES, AND TO ALLOW THE RECOMMENDED USE AS IS DEPICTED ON THE FINAL USE MAP FOR THE REMAINING SUBDIVISIONS: SHOOK
- b. SECOND: DAVID
- c. ROLL-CALL:

MEMBER	YES/NO
DAN DAVID	YES
EDDIE HERNDON	YES
CECIL KUSLER	ABSENT



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CAROLYN MCCLELLAN	YES
CHRIS SHOOK	YES

7. New business – NO NEW BUSINESS

8. Adjournment

- a. MOTION TO ADJOURN: SHOOK
- b. SECOND: HERNDON
- c. ROLL-CALL:

MEMBER	YES/NO
DAN DAVID	YES
EDDIE HERNDON	YES
CECIL KUSLER	ABSENT
CAROLYN MCCLELLAN	YES
CHRIS SHOOK	YES

The meeting was adjourned at 7:43 PM